

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41966 of 2022

Arising Out of PS. Case No.-114 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Gautam Kumar Son of Ramkapil Singh Resident of village- Hussainabad,
P.S- Fesar, Dist- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection
General Registration No. 323/2022, arising out of Excise P.S.
Case No. 114/2022, lodged under Section 30(a) of the Bihar
Prohibition & Excise Act.

As per prosecution case, total 232.2 litres of desi wine
were alleged to be recovered from the Alto Car. From the said
Alto Car, present petitioner was apprehended.

Learned counsel for the petitioner submits that the
petitioner is neither driver nor owner of the said vehicle and he



has taken lift and in the meantime, Police has arrested to him. He further submits that petitioner is in custody since 25.06.2022 having clean antecedent.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (rupees thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Special Judge, Excise, Second, Aurangabad, in connection with General Registration No. 323/2022, arising out of Excise P.S. Case No. 114/2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

(A.) The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

(B.) One of the bailor shall be close relative who shall file affidavit before the Court about his relation with the petitioner.

(C.) The petitioner shall file an affidavit at the time of



furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ranjeet/-

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